

UNITED STATES OF AMERICA,

Plaintiff,

v.

**MOTION TO PERMIT IMPEACHMENT  
OF WITNESS BY PRIOR CONVICTIONS**

JESSICA HENSEN  
a/k/a JESSICA WEINHART et al,

Case No. 13 CR 135 (WCG)

Defendants.

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Pursuant to Federal Rule of Evidence 609, defendant Jessica Hensen (Weinhart), through his/her attorneys, SISSON AND KACHINSKY LAW OFFICES, moves the court for an order permitting her to impeach the following witnesses with prior convictions as follows:

**APPLICABLE LAW**

Rule 609 of the Federal Rules of Evidence reads in part as follows:

**Rule 609. Impeachment by Evidence of a Criminal Conviction**

(a) In General. The following rules apply to attacking a witness's character for truthfulness by evidence of a criminal conviction:

(1) for a crime that, in the convicting jurisdiction, was punishable by death or by imprisonment for more than one year, the evidence:

(A) must be admitted, subject to Rule 403, in a civil case or in a criminal case in which the witness is not a defendant; and

(B) must be admitted in a criminal case in which the witness is a defendant, if the probative value of the evidence outweighs its prejudicial effect to that defendant; and

(2) for any crime regardless of the punishment, the evidence must be admitted if the court can readily determine that establishing the elements of the crime required proving — or the witness's admitting — a dishonest act or false statement.

(b) Limit on Using the Evidence After 10 Years. This subdivision (b) applies if

more than 10 years have passed since the witness's conviction or release from confinement for it, whichever is later. Evidence of the conviction is admissible only if:

- (1) its probative value, supported by specific facts and circumstances, substantially outweighs its prejudicial effect; and
- (2) the proponent gives an adverse party reasonable written notice of the intent to use it so that the party has a fair opportunity to contest its use.

### **VERIFIED CONVICTIONS OF GOVERNMENT WITNESSES**

**1. Paris A. Armstrong.** Convicted of the following offenses in Wisconsin on the following dates:

<b>Offense</b>	<b>County</b>	<b>Date of Conviction</b>
Misd battery	Brown 04 CM 1503	2-28-2005
Misd battery	Brown 04 CM 2351	2-28-2005
Misd bail jumping	Brown 04 CM 2352	2-28-2005
OAR-6 <sup>th</sup>	Brown 04 CT 237	4-06-2004
OWI-2 <sup>nd</sup>	Brown 05 CT 535	10-27-2004
Misd CDTP	Brown 06 CM 260	9-15-2006
Misd CDTP	Brown 08 CM 674	7-01-2008
OWI-4 <sup>th</sup> (misd)	Brown 09 CT 898	7-21-2009
Misd battery	Brown 10 CM 1542	12-07-2010
OWI-5 <sup>th</sup>	Brown 11 CF 1008	11-08-2011
Resisting or obstructing	Brown 13 CM 1810	11-22-2013

**2. Tami L. Fields.** Convicted of the following offenses in Wisconsin on the following dates:

<b>Offense</b>	<b>County</b>	<b>Date of Conviction</b>
Worthless checks	Brown 98 CM 1150	01-20-1999
Sex with Child 16 or over	Brown 00 CM 246	7-11-2000
OAR	Winnebago 04 CT 1401	05-06-2005
OAR	Winnebago 05 CT 978	07-25-2005
Battery	Brown 07 CF 1038	07-18-2008 (NGI)
Resisting or obstructing	Brown 07 CF 1038	07-18-2008 (NGI)
Misd CDTP	Brown 08 CM 674	7-01-2008
OWI-4 <sup>th</sup> (misd)	Brown 09 CT 898	7-21-2009

**3. Justin R. Harrsch.** Convicted of the following offenses in Wisconsin on the following

dates:

<b>Offense</b>	<b>County</b>	<b>Date of Conviction</b>
Fleeing (misd)	Brown 08 CF 1052	01-23-2009
Misd bail jumping	Brown 08 CF 1052	01-23-2009
Possess cocaine	Brown 08 CM 1473	01-23-2009
Disorderly conduct	Brown 08 CM 1790	01-23-2009

**4. Ashley Conant.** Convicted of the following offenses in Wisconsin on the following

dates:

<b>Offense</b>	<b>County</b>	<b>Date of Conviction</b>
Uttering	Brown 04 CF 38	10-13-2004
Felony bail jumping	Brown 04 CF 127	10-13-2004
Forgery	Brown 04 CF 226	10-13-2004
Manufacture/deliver cocaine	Brown 04 CF 244	10-13-2004
Mis. possess cocaine	Brown 04 CF 801	10-13-2004
Felony bail jumping	Brown 04 CF 801	10-13-2004

**5. Tina Baalman** Convicted of the following offenses in Wisconsin on the following dates:

<b>Offense</b>	<b>County</b>	<b>Date of Conviction</b>
Possess meth (felony)	Brown 13 CF 1669	03-13-2014
Misd bail jumping	Brown 10 CM 1611	12-29-2010
Misd theft	Brown 10 CF 1472	12-29-2010
Misd bail jumping	Brown 10 CF 1472	12-29-2010
Forgery	Brown 10 CF 671	12-29-2010
Misd fraudulent use of credit card	Brown 10 CF 671	12-29-2010
Possess THC	Outagamie 09 CM 682	04-13-2011

**6. Jesse Sanchez** Convicted of the following offenses in Wisconsin on the following dates:

<b>Offense</b>	<b>County</b>	<b>Date of Conviction</b>
Possess THC	Brown 95 CM 549	09-09-1995
OAR/OAS	Brown 97 CT 144	04-30-1997
Misd Battery	Brown	10-22-1999

OAR-7th	Brown 98 CT 1361	04-29-1999
Deliver Cocaine	Brown 99 CF 1219	03-07-2000
OAR-3rd	Brown 03 CT 1287	10-24-2005
Disorderly conduct	Brown 06 CM 336	2-16-2007
Possess THC	Brown 07 CM 324	02-16-2007
OWI-2 <sup>nd</sup>	Brown 07 CT 1116	08-03-2007
OAR-7th	Brown 07 CT 1116	08-03-2007
OAR-7th	Brown 07 CT 1375	05-02-2008
Possess THC	Brown 08 CF 796	01-05-2009
OAR-4 <sup>th</sup>	Brown 09 CT 2027	10-15-2009

**7. Daniel B. Spears** Convicted of the following offenses in Wisconsin on the following dates:

<b>Offense</b>	<b>County</b>	<b>Date of Conviction</b>
Possess THC	Marinette 02 CM 35	03-04-2002
OAR 1st	Brown 09 CT 1369	10-13-2009
OWI-2 <sup>nd</sup>	Brown 10 CT 1905	01-06-2011

**8. Tonya Xiong** Convicted of the following offenses in Wisconsin on the following dates:

<b>Offense</b>	<b>County</b>	<b>Date of Conviction</b>
Deliver cocaine x 2	Brown 05 CF 1076	12-27-2005
Deliver meth x 2	Brown 05 CF 1076	12-27-2005

**9. Jessica Carter** Convicted of the following offenses in Wisconsin on the following dates:

<b>Offense</b>	<b>County</b>	<b>Date of Conviction</b>
Neglect child	Brown 09 CM 1605	03-26-2010
Misd theft	Brown 09 CM 1605	03-26-2010

CIB records provided by the Government indicate arrests for George Brancefield and Charles Belekevich but no criminal cases filed or convictions recorded on CCAP.

This motion is based upon the pleadings, records and files in this action as well as such evidence or offers of proof as will be presented to the court at the time of the hearing upon this motion during the trial.

Dated this 25th day of October, 2014.

/s/

SISSON AND KACHINSKY LAW OFFICES

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